

98 (9/10)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA

APPEARANCE BOND

V.
DELOREAN DAVIS

CASE NUMBER: **3:07-CR-183 (7)**

Defendant

Non surety: I, the undersigned defendant acknowledge that I and my...

Surety: *We*, the undersigned, jointly and severally acknowledge that we and our ...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of

\$ **OWN RECOGNIZANCE**, and there has been deposited in the Registry of the Court the sum of

\$**0** in cash or (describe other security.)

The conditions of this bond are that the defendant **DELOREAN DAVIS**

is to (1) appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred; (2) comply with all conditions of release imposed by the court, and (3) abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment, may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on **November 26, 2007** at **Dayton, Ohio**

Defendant: *DeLoorean Davis* Address: *34 Fer Don Rd.*

Surety: _____ Address: _____

Surety: _____ Address: _____

Signed and acknowledged before me on _____ Date _____

Approved: *Michael N.* _____
Judicial Officer Judicial Officer/Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA :

Plaintiff : Case No. **3:07-CR-183 (7)**

-Vs- :

Delorian Davis :
Defendant

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the US attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- [] (4) The defendant is placed in the custody of:
(Name of person or organization)
(Address)
(City and State)
(Telephone No.)

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and to notify the court immediately in the event the defendant violates any condition of release or disappears.

Signed: _____
Custodian or Proxy

- ☐ [5] The defendant shall:
- ☒ [X] [a] maintain or actively seek employment and provide verification to the U.S. Pretrial Services Office, **OR**
- ☒ [X] [b] maintain or commence an educational program.
- ☒ [X] [c] abide by the following restrictions on his personal associations, place of abode, or travel: Remain in the Southern District of Ohio.
- ☒ [X] [d] avoid all contact with any individuals who are considered either alleged victims, potential witnesses or co-defendants in this case.
- ☒ [X] [e] report on a schedule determined by the U.S. Pretrial Services Office, Room 709, 200 W. Second Street, Dayton, Ohio (937) 512-1430.
- ☐ [] [f] comply with the following curfew:
- ☒ [X] [g] refrain from possessing a firearm, destructive device, or other dangerous weapon.
- ☒ [X] [h] refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner.
- ☐ [] [i] undergo medical or psychiatric treatment and/or remain in an institution, as follows: .
- ☐ [] [j] execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property:
- ☐ [] [k] post with the court the following indicia of ownership of the above described property, or the following amount or percentage of the above-described money:
- ☐ [] [l] execute a bail bond with solvent sureties with the amount of \$

- ☐ [m] return to custody each (week) day as of o'clock after being released each (week) day as of o'clock for employment, schooling or the following limited purpose (s):
- ☐ [n] surrender any passport to
- ☐ [o] obtain no passport.
- ☒ [p] submit to random urinalysis and/or breath testing under the guidance and supervision of U.S. Pretrial Services.
- ☐ [q] participate in a substance abuse evaluation and/or treatment under the guidance and supervision of U.S. Pretrial Services.
- ☐ [r] participate in a mental health evaluation and/or treatment under the guidance and supervision of U.S. Pretrial Services.
- ☒ [s] participate in electronic monitoring under the guidance and supervision of U.S. Pretrial Services. Defendant to reside with mother, Jacqueline Davis, at 34 Fer Don Road in Dayton, Ohio.
- ☒ [t] Comply with conditions of probation supervision as directed by the Montgomery County Probation Department.

ADVICE OF PENALTIES AND SANCTIONS

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in Title 18, U.S.C. § 3148, and a prosecution for contempt as provided in Title 18, U.S.C. § 401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence as provided in Title 18, U.S.C. § 3147 upon conviction for such offense to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. § 1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. § 1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. § 1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. § 1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

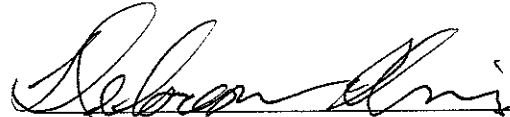
It is a criminal offense under 18 U.S.C. § 3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with the charge of, or while awaiting sentence, surrender for service of sentence, or appear or certiorari after conviction for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

ACKNOWLEDGMENT OF DEFENDANT

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions as set forth above.



Signature of Defendant

34 Fer Don Road

Address

Dayton, Ohio 45405

City and state

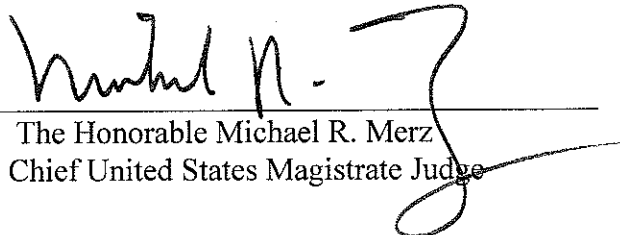
(937) 275-8572

Telephone Number

DIRECTIONS TO UNITED STATES MARSHAL

- ☐ The Defendant is ORDERED released.
- ☒ The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions of release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

11/26/2007
DATE



The Honorable Michael R. Merz
Chief United States Magistrate Judge

Copy to:
Defendant/Defense counsel
US Attorney
US Marshal
US Pretrial Services
US Probation
rev. (05-17-00)